

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 11/23/2022

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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COLLINSVILLE POLICE PENSION BOARD	:	
On Behalf of the COLLINSVILLE POLICE	:	
PENSION FUND, Individually and On Behalf of	:	
All Others Similarly Situated,	:	22-CV-8171 (VEC)
Plaintiff,	:	
	:	
-against-	:	
	:	
DISCOVERY, INC., WARNER BROS.	:	
DISCOVERY, INC., DAVID ZASLAV, and	X	
GUNNAR WIEDENFELS,		
Defendants.		

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VIOLETA TODOROVSKI, Individually and On	:	
Behalf of All Others Similarly Situated,	:	
Plaintiff,	:	
	:	
-against-	:	22-CV-9125 (VEC)
	:	
DISCOVERY, INC., WARNER BROS.	:	
DISCOVERY, INC., DAVID ZASLAV, and	:	
GUNNAR WIEDENFELS,	:	
Defendants.	X	

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on November 22, 2022, the Court received multiple applications for appointment as lead plaintiff(s) in this consolidated action;

WHEREAS pursuant to 15 U.S.C § 78u-4a(3)(B) the Court is required to determine the “most adequate plaintiff” in this action by reference to which of the applicants “has the largest financial interest in the relief sought by the class,” *id.* at § 78u-4a(3)(B)(iii)(I)(bb), and “otherwise satisfies the requirements of Rule 23,” *id.* at § 78u-4a(3)(B)(iii)(I)(cc); and

WHEREAS the presumption that an applicant or group of applicants is the most adequate plaintiff may be rebutted by evidence that it “will not fairly and adequately protect the interests of the class” or is “subject to unique defenses that render such plaintiff incapable of representing the class,” *id.* at § 78u-4a(3)(B)(iii)(II)(aa)-(bb).

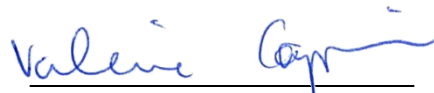
IT IS HEREBY ORDERED that:

1. The applicants shall have until **December 6, 2022**, to submit rebuttal evidence as to the financial interest in the relief sought by the class and the adequacy and typicality of any of the other applicants. Each applicant or group of applicants may make only one submission and each submission shall be no more than 10 pages, including any appendices or attorney declarations.
2. Each applicant or group of applicants may, but is not required to, submit a reply in support of their application by **December 9, 2022**. Rebuttal submissions shall be limited to 5 pages, including any appendices or attorney declarations.

Any applicant or group of applicants who believes that its rebuttal or reply submissions should be filed under seal is respectfully directed to the Court’s Individual Rules of Practice in Civil Cases, which may be found on the Court’s website: <https://nysd.uscourts.gov/hon-valerie-e-caproni>.

SO ORDERED.

Date: November 23, 2022
New York, New York


VALERIE CAPRONI
United States District Judge